IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No. 4778 of 2002

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KULDIPKUMAR ARVINDBHAI BHATT & 4 - Applicant(s)
Versus
BHAVNA HARIBHAI JOSHI & 1 - Respondent(s)

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Appearance :
MR Vikram Thakore, for Mr. MC BHATT for Applicant(s) : 1 - 5.
RULE SERVED for Respondent(s) : 1,
PUBLIC PROSECUTOR for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 10/10/2007

ORAL JUDGMENT

Learned advocate Shri Vikram Thakore appearing for the petitioner places on record an affidavit dated 9.10.2007 sworn by petitioner No.1. On the

basis of the contents of the said affidavit, he submits that all disputes between petitioner No.1 and respondent No.1 wife have been amicably settled. They have also obtained divorce and to the information of petitioner No.1, wife has also re-married. Along with the affidavit, the petitioners have also produced an agreement between the husband and the wife which states, inter alia, that all disputes are resolved and in particular, it is stated that the wife has to withdraw M.Case No.4/02.

2. In the present petition, the petitioners have prayed for quashing of the above-mentioned case. Upon perusal of the complaint, it appears that at the relevant time wife had made certain general allegations of harassment against the petitioners which included the family members of the husband. Now that the issues have been settled amicably, no useful purpose will be served in proceeding further with the said case. I also perused the allegations contained in the complaint which are not of serious nature. Respondent No.1 wife, though served since long, has chosen not to appear.

3. Considering all these aspects of the matter, M.Case No.4/2002 filed before JMFC, Dhoraji is hereby quashed. Rule is made absolute.

(Akil Kureshi, J.)

(vjn)